

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**

Case

01-CA-286503

Date Filed

Nov. 18, 2021

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer United States Postal Service		b. Tel. No. (413) 442-6961
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 212 Fenn Street MA Pittsfield 01201	e. Employer Representative Stefanie Ann Curry Postmaster	g. e-Mail Stefanie.A.Curry@usps.gov
		h. Number of workers employed 110
i. Type of Establishment (factory, mine, wholesaler, etc.) Services	j. Identify principal product or service Postage and Mail delivery	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 5 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

--See additional page--

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Branch 286 of the Nation Association Of Letter Carriers

4a. Address (Street and number, city, state, and ZIP code)P.O box. 962 212 Fenn St
MA Pittsfield 01202-0962**4b. Tel. No.**

(b) (6), (b) (7)(C)

4c. Cell No.

(b) (6), (b) (7)(C)

4d. Fax No.**4e. e-Mail**

pittsfieldnalc@outlook.com

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

National Association Of Letter Carriers AFL-CIO

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

(b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

(signature of representative or person making charge)

(Print/type name and title or office, if any)

Tel. No.

(b) (6), (b) (7)(C)

Office, if any, Cell No.

(b) (6), (b) (7)(C)

Fax No.**e-Mail**

pittsfieldnalc@outlook.com

P.O box. 962 212 Fenn St
Address Pittsfield MA 01202-096211/18/2021 04:24:03 PM
(date)**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)****PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(5)

Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees by failing to furnish information requested by the union.

Date of request	Employer representative	List items requested	Date refused
(b) (6), (b) (7) /2021	(b) (6), (b) (7)(C)	TACS Everything Report for all carriers 1/1-11/13	(b) (6), (b) (7) /2021



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 34
450 Main St Ste 410
Hartford, CT 06103-3078

Agency Website: www.nlrb.gov
Telephone: (860)240-3522
Fax: (860)240-3564



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November 19, 2021

Dallas G. Kingsbury, Acting Managing Attorney
United States Postal Service
Law Department - NLRB Unit
1720 Market Street, Room 2400
St. Louis, MO 63155-9948

Re: United States Postal Service
Case 01-CA-286503

Dear Mr. Kingsbury:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney LINDSEY E. KOTULSKI whose telephone number is (959)200-7369. If the Board agent is not available, you may contact Officer In Charge MICHAEL C. CASS whose telephone number is (959)200-7362.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlr.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you

receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Laura A. Sacks
Regional Director

A handwritten signature in black ink that reads "Michael C. Cass". The signature is written in a cursive, flowing style.

By:

Michael C. Cass
Officer in Charge

Enclosure: Copy of Charge

cc: Stefanie Ann Curry, Postmaster
United States Postal Service
212 Fenn Street
Pittsfield, MA 01201



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 34
450 Main St Ste 410
Hartford, CT 06103-3078

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November 19, 2021

(b) (6), (b) (7)(C)

Branch 286 of the Nation Association of Letter Carriers
P.O Box 962
212 Fenn St
Pittsfield, MA 01202-0962

Re: United States Postal Service
Case 01-CA-286503

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on November 18, 2021 has been docketed as case number 01-CA-286503. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney LINDSEY E. KOTULSKI whose telephone number is (959)200-7369. If this Board agent is not available, you may contact Officer In Charge MICHAEL C. CASS whose telephone number is (959)200-7362.

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If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability.
Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LAURA A. SACKS
Regional Director

A handwritten signature in black ink that reads "Michael C. Cass". The signature is written in a cursive, flowing style.

By:
MICHAEL C. CASS
Officer in Charge



November 19, 2021

Lindsey E. Kotulski, Field Attorney
National Labor Relations Board, Region 1
450 Main Street, Suite 410
Hartford, CT 06103-3078

VIA E-FILE

RE: UNFAIR LABOR PRACTICE CHARGE
Pittsfield, MA 01201
Case No.: 01-CA-286503
Our Ref.: NL202167245

Dear Ms. Kotulski:

Notice is hereby given that the United States Postal Service is represented by counsel in the above-entitled action. Heather Taylor of the USPS Law Department is assigned to investigate and respond to this charge. As the designated representative, please direct service of all documents and written communications relating to this proceeding to Ms. Taylor at the address below. Additionally, Ms. Taylor may be reached at (214) 252-6118 or via email at Heather.L.Taylor@usps.gov.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dallas G. Kingsbury".

Dallas G. Kingsbury
Deputy Managing Counsel



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 34
450 Main St Ste 410
Hartford, CT 06103-3078

Agency Website: www.nlrb.gov
Telephone: (860)240-3522
Fax: (860)240-3564

November 24, 2021

Dallas G. Kingsbury, Acting Managing Attorney
Heather L. Taylor, NLRB Specialist
United States Postal Service
Law Department - NLRB Unit
1720 Market Street, Room 2400
St. Louis, MO 63155-9948

Re: United States Postal Service
Case 01-CA-286503

Dear Ms. Taylor:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

Michael C. Cass

Michael C. Cass
Officer in Charge

cc:

(b) (6), (b) (7)(C)
Branch 286 of the Nation Association
of Letter Carriers
P.O Box. 962
212 Fenn Street
Pittsfield, MA 01202-0962